

SENATE BILL 2057
By Burchett

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 14, Part 1, relative to driving away without paying for motor fuel.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 14, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section 39-14-1___. (a) A person commits an offense who drives a motor vehicle away from the premises of an establishment at which gasoline or diesel fuel offered for retail sale was dispensed into the fuel tank of the motor vehicle unless due payment or authorized charge for the gasoline or diesel fuel so dispensed has been made.

(b)(1) A violation of this section is a Class A misdemeanor.

(2) In addition to the penalty for such misdemeanor, the court shall prohibit a person convicted pursuant to subsection (a) from driving a vehicle in the state of Tennessee for six (6) months. Upon conviction for a second or subsequent offense pursuant to subsection (a), the court shall prohibit such person from driving a vehicle in the state of Tennessee for one (1) year.

(c)(1) Whenever a person is convicted of an offense pursuant to this section, the court in which such conviction is had shall confiscate the driver license of such person and forward it to the department of safety along with a report of the license suspension. If the court is unable to take physical possession of such license, the court shall nevertheless forward the report to the department. The report shall include the complete name, address, birth date, eye color, sex, and driver license number, if known, of the person whose license has been suspended, and shall indicate the first and last day of the suspension period. If the person is the holder of a license from another state, the court shall not confiscate the license but shall notify the department, which shall notify the appropriate licensing officials in such other state. The court shall, however, suspend the person's nonresident driving privileges for the appropriate length of time.

(2) At the end of the period of suspension and prior to reinstatement of a driver license, a person applying for reinstatement of such license shall pay the restoration fee to the department as required under § 55-12-129(b).

SECTION 2. This act shall take effect July 1, 2000, the public welfare requiring it.